



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

Robert F. McDonnell  
Attorney General  
23219

900 East Main Street  
Richmond, Virginia

804-786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

**To:** Wendy Inge, Director  
Division of Labor and Employment Law  
Virginia Department of Labor & Industry  
13 South Thirteenth Street  
Richmond, Virginia 23219

**From:** Elizabeth B. Peay  
Assistant Attorney General

**Date:** June 17, 2008

**Subject:** Letter of Assurance for 16 VAC 15-30-190, Regulation Amending the Permissible Volunteer Fire Fighting Activities for Minors Ages 15, 16 and 17; Final Adoption

---

I have reviewed the Department of Labor and Industry's regulation amending the permissible volunteer fire fighting activities for minors ages 15, 16, and 17. In my view, as counsel to the Department of Labor and Industry, the Department may promulgate these regulations pursuant to its authority to promulgate regulations under §40.1-6 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. In addition, these regulatory changes are exempt from the requirements of Virginia's Administrative Process Act (APA), Code of Virginia §2.2-4006 A.4.a because this regulatory change is necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Code of Virginia, §40.1-79.1, requires this regulatory change.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.

